

**REGULAR MEETING OF THE CITY COMMISSION
AUGUST 27, 2018**

Mayor Steve Leary called the meeting of the Winter Park City Commission to order at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Father Ernie Bennett, All Saints Episcopal Church, followed by the Pledge of Allegiance.

Members present:

Mayor Steve Leary
Commissioner Greg Seidel
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper

Also Present:

City Manager Randy Knight
City Attorney Kurt Ardaman
City Clerk Cynthia Bonham

Member absent:

Commissioner Pete Weldon

Approval of agenda

Motion made by Commissioner Sprinkel to approve the agenda; seconded by Commissioner Cooper and carried with a 4-0 vote.

Mayor's Report

Mayor Leary addressed attending the ceremonial first drive/tee off for the Winter Park High School Lady Wildcats where he drove the first golf ball for the opening of their 2018 golf season.

a. Proclamation – Harold Barley Day

Mayor Leary presented Harold (Harry) Barley with a proclamation upon his retirement recognizing him for his contributions to the City, MetroPlan Orlando and other entities.

b. Winter Park Hospital Presentation – Lakemont Beautification

Winter Park Memorial Hospital Administrator Jennifer Wandersleben provided an update regarding the beautification of Lakemont Avenue near their energy plant on the northwest corner of the campus.

c. Presentation – Greater Orlando Aviation Authority concerning Orlando International Airport

City Manager Knight spoke about the request of the Commission for a presentation because of the flight patterns changing and affecting Winter Park residents with noise.

CEO Phil Brown addressed the number of passengers annually, the new terminal construction, the addition of 19 gates to the south, and that there will be no additional runways (no need). He introduced Chairman David Konstan, Airport Noise Abatement Committee and Judith-Ann Jarrett, Assistant Director of Airfield Operations. Ms. Jarrett summarized the aircraft operations and the impact of the south flow arrivals to Winter Park. She addressed the concerns of Winter Park residents that the planes seem to be flying lower, arrivals over Winter Park have increased, and concerns about future NextGen flight tracks. She concluded that we cannot impose curfews at MCO because of the 1990 Airport Noise and Capacity Act (ANCA).

Commissioner Cooper asked if there is an avenue we can pursue that would have an impact with the noise. Mr. Brown commented that with the implementation of NextGen there will be input received from residents for the FAA to consider. He stated FAA has pulled back on the implementation to make sure they get it right. He stated in order to maintain safety and continue to grow, if you use the satellite-based technology there will be areas in the community that are impacted; but will not know which areas until they get into the development of their tracks. Commissioner Cooper addressed the importance to understand the criteria as to how decisions are made so the City can present a better case. Mr. Brown stated Ms. Jarrett will be the point person for this along with other airport staff and operations. He commented that Mr. Konstan is also available to take comments from citizens.

Commissioner Seidel spoke about wanting to see flight data and how many flights came in 2016 compared to 2018 (with average altitude) which is important because the planes appear to be coming in lower and louder. Mayor Leary asked that these specific questions be sent to staff who can provide them to airport staff. Mr. Brown explained that flights are regulated by the Federal Government so we have no authority to regulate airspace or noise because of the ANCA. Ms. Jarrett addressed the FAA doing research to reduce structural noise because of noises generated by the engines but also by flaps and landing gear.

Mayor Leary stated there will be outreach of the community and we will be there to support them in their efforts. He asked Mr. Brown to keep staff updated so we can help as much as we can.

Attorney Ardaman asked Mr. Brown when they expect to begin their rulemaking process where they will have an order adopted by FAA to implement any new flight paths or anything else with respect to this. Mr. Brown commented that they will review the outreach in the latter part of 2018 (October/November timeframe) with a target toward implementing something in the first half of 2019 but he believed that may be delayed because of the amount of input. Attorney Ardaman asked that we be informed of the dates as this progresses.

City Manager's Report

Commissioner Sprinkel asked for an update regarding the buoys on the lakes. Attorney Ardaman responded that over the last two weeks they have worked to see if they can get a plan that is workable both by the Florida Fish and Wildlife Conservation Commission and the City. He stated they have the ability as a City to adopt an ordinance that would place certain regulatory buoys and informational buoys (do not deal with speed, etc.) and designate certain areas that they are currently discussing. He stated they will probably ask the FWC to visit the City and that they are working diligently to come up with the best plan to implement a safe and proper system on the lakes. He stated he hopes to have this resolved in the next three months but could only have it partially resolved by then.

City Attorney's Report

No report except the conversation above regarding buoys.

Non-Action Items

a. Discussion of Potential Parking Code Changes

Planning Manager Jeff Briggs provided potential parking code changes that fits into the work of consultant Kimley Horn. He addressed the parking studies of 2013 and 2017 but that they are operating under a 1970's parking code (with few tweaks over the years). He spoke about the Planning and Zoning Board meetings and presentation to the Commission and the community meeting. He stated there is nothing going forward until we see how the Commission reacts to these ideas but had kept P&Z in the loop all the way along because their recommendation would be essential to any code change. He stated the focus was not citywide for only for the Central Business District (New England Avenue, Hannibal Square, and Orange Avenue). He spoke about the findings of the Kimley Horn study.

Mr. Briggs summarized the proposed code changes recommended by staff and/or Kimley Horn:

1. Retail to Restaurant Conversions: Removes the ability to convert retail stores within the CBD and HSNCD without providing the parking required for the greater parking needs of the restaurant.
2. Updates to the Parking Requirements within the CBD, a portion of the HSNCD and along the Orange Avenue corridor: Change for retail and office floor spaces from one space per 250 square feet to one space for each 350 square feet.
3. Large Office Building Change: Avoid over-parking by using the current one space for 250 square feet on the first 20,000 sq. ft.; then transitioning to one space for each 350 square feet above 20,000 square feet.

4. Shared Parking Reference: Adopts the Urban Land Institute's (ULI) Shared Parking analysis as a reference for determining when shared parking scenarios are applicable.
5. Off-site Parking: Changes the distance permitted for off-site parking from 300 feet to 450 feet.
6. Fee-in-lieu of Programs: Provides for the potential future creation of a fee-in-lieu of parking program. Enables the adoption of a future program but does not create one.

Mayor Leary asked about the next steps. Mr. Briggs asked for comments so the ones the Commission is in agreement with can go to the P&Z Board. Commissioner Seidel asked about #3 and if the 20,000 number should be different. After comments, it was determined that the P&Z Board should further discuss this and that the Chamber of Commerce and Park Avenue Area Association should be included in the process.

Commissioner Sprinkel agreed that further discussion needs to happen on #3 above, agreed with the shared parking (#4), commented that the off-site parking is a larger task and was not sure that would be a big concern with people, and the Fee-in-lieu programs bothered her because this would be a change.

Commissioner Cooper expressed the following:

1. Asked how they determined the peer cities in the study and wanted to address this further with Kimley Horn;
2. Struggled with Orange Avenue being part of this;
3. Supported #1 above regarding restaurant conversions for retail;
4. Did not have a problem with making the change in #2 but was not sure that degree of a change was necessary;
5. Agreed with #3 and asked staff to consider a cap when discussed with the P&Z Board;
6. Was comfortable with the concept of shared parking but was not sure about the ULI parking analysis that has not been provided to them (Mr. Briggs will provide); and
7. Was opposed to Fee-in-Lieu of Programs because in the CBD they have been able to maintain the scale of the Park Avenue area because the only way the buildings could grow in square footage was to provide parking that they had to own.

Mayor Leary offered the following:

1. Agreed with investigating the Fee-in-Lieu Program but was concerned with the downtown area but could make sense in other areas;
2. Agreed with increasing the off-site parking (#5);
3. Wanted to see more on the shared parking (#4);
4. Was unsure of what the number should be on #3 but wanted it to be investigated;
5. Disagreed with Commissioner Cooper that Orange Avenue should not be a part of the study because of the opportunity to make it a brand in Winter Park like Hannibal Square and Park Avenue and wanted this to be looked at.

6. Agreed with #1 Retail to Restaurant conversions.

He stated he is not opposed to any of them but that they need be worked through and receive input from the public and P&Z.

Commissioner Seidel asked if #1 needs to be accelerated. He spoke about the economics and asked where this comes into the discussion. Commissioner Cooper asked to be provided information as to what we already have versus what our code would have given us versus what they are asking to have because what they have is more relevant than what our codes allow. After comments, there was a consensus to take these to the P&Z Board and also to the Economic Development Advisory Board to cover the economics.

Gary Brewer, 1250 S. Denning Avenue, spoke about the implementation of the 300' parking rule for off-site parking years ago because of a retail store that converted into a theater that did not fit into the code. He stated they need to have an enforcement component to this and will not work without one.

Consent Agenda

- a. Approve the August 13, 2018 Commission minutes.
- b. Approve the following contract amendment:
 1. Xylem Water Solutions U.S.A., Inc. – Increase of spending under current sole source to account for repairs to City lift stations; \$100,000.
- c. Approve the following piggyback agreement and authorize the Mayor to execute:
 1. Life Extension Clinics, Inc. dba Life Scan Wellness Centers – RFP 17-601 – Firefighter Annual Physicals; \$180,000 (4 year term)
- d. Approve the following formal solicitation and authorize the Mayor to execute:
 1. Greenberg Traurig, P.A. – RFP-24-2018 – Bond Counsel & Disclosure Counsel Services; as needed basis.

Motion made by Commissioner Sprinkel to approve the Consent Agenda; seconded by Commissioner Seidel and carried with a 4-0 vote. There were no public comments made.

Action Items Requiring Discussion

- a. Lease of the Progress Point Parking Lot

City Manager Knight commented that Rollins College approached them about the ability to use Progress Point as temporary parking for construction and overflow parking during the time of on campus construction and potentially for the Alford and other construction projects they have. He stated that he determined they could use 100 spaces that would not impact the others currently using the lot for overflow parking. He proposed \$15 per space for a period of 1-2 years while the construction is taking place but that a 90 day out clause would be included in the lease if the

Commission decides to sell the property or if they no longer need it. Planning Manager Briggs explained the current construction projects at Rollins that needs the parking.

Rollins Vice President of Finance and Administration Ed Kania asked for the off-site parking for construction employees who will be shuttled to the construction sites. He stated the term of the lease can work any way necessary.

Motion made by Mayor Leary to enter into negotiations with the basic terms provided and authorize staff to sign the lease; seconded by Commissioner Sprinkel and carried with a 4-0 vote. No public comments were made.

Public comments (items not on the agenda) and budget comments:

Michael Perelman, 1010 Greentree Drive, spoke about the parking issue previously discussed and that nothing was said about handicap parking and how that fits into this. He commented we should deal with any parking issues the City has now and was not in favor of the pay-in-lieu of program. He asked how valet parking is being considered in the process. He also asked that citizens be informed sooner as to when meetings are held because it is the end of August and there is nothing on the website for meetings in September.

LaWanda Thompson, 664 W. Lyman Avenue, spoke about the low number of children in the Hannibal Square area because of the lack of diversity. She spoke about school rezonings that have happened. She asked for incentives for City employees to buy homes in the Hannibal Square/CRA community, for incentives for those already there, and for affordable housing or mixed use communities to encourage families in the CRA community.

Stefania McGrath, 655 Palmer Avenue, addressed the traffic and speeding on Palmer Avenue and the need for town hall meetings. He spoke about the improvements made or being made by the City. She asked if cameras could be mounted at certain areas to see the flow of traffic so the Commission can see what is going on along Temple, Alabama and Palmer.

Public Hearings:

- a. RESOLUTION NO. 2209-18: A RESOLUTION OF WINTER PARK, FLORIDA REGARDING SEACOAST NATIONAL BANK CORPORATE AUTHORIZATION

Attorney Ardaman read the resolution by title. City Manager Knight explained the need for the resolution.

Motion made by Commissioner Sprinkel to adopt the resolution; seconded by Commissioner Seidel. There were no public comments made. **Upon a roll call**

vote, Mayor Leary and Commissioners Seidel, Sprinkel, and Cooper voted yes. The motion carried unanimously with a 4-0 vote.

b. Fire Pension and Police Pension ordinances:

Attorney Ardaman read both ordinances by title.

ORDINANCE NO. 3120-18: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 74, PERSONNEL, ARTICLE V, RETIREMENT AND PENSION PLANS, DIVISION 3, FIREFIGHTERS, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK; AMENDING SECTION 74-156, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 74-157, PRE-RETIREMENT DEATH; AMENDING SECTION 74-159, VESTING; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE Second Reading

Motion made by Commissioner Sprinkel to adopt the fire pension ordinance, seconded by Commissioner Cooper. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, and Cooper voted yes. The motion carried with a 4-0 vote.

ORDINANCE NO. 3121-18: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 74, PERSONNEL, ARTICLE V, RETIREMENT AND PENSION PLANS, DIVISION 4, POLICE OFFICERS, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK; AMENDING SECTION 74-205, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 74-208, DISABILITY; AMENDING SECTION 74-209, VESTING; AMENDING SECTION 74-215, MAXIMUM PENSION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE Second Reading

Motion made by Commissioner Sprinkel to adopt the Police pension ordinance; seconded by Commissioner Cooper. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, and Cooper voted yes. The motion carried with a 4-0 vote.

c. Request of Winter Park Custom Homes: Subdivision or lot split approval to divide the property at 1415 Miller Avenue into two lots

Planning Manager Jeff Briggs addressed the request and showed the two lots. He explained the variance needed and that they want to use each lot individually to build two small homes that are attached at the garage so there is privacy between the two homes and a center drive to lead to the parking for the units. He stated both staff and the P&Z Board recommended approval.

Motion made by Commissioner Sprinkel to approve the request, seconded by Commissioner Seidel and carried with a 4-0 vote. There were no public comments.

- d. Request of The 420 Winter Park, LLC: Conditional use approval to convert the existing Copytronics office building at 420 South Orlando Avenue into a children's daycare facility

Planning Manager Jeff Briggs addressed the request to convert the old Copytronics office building into a children's daycare facility. He provided a map of the location and stated they are going to add playground space inside and outside, bring the parking lot up to code, are eliminating the two driveways on Orlando Avenue and providing stormwater retention. He stated that the P&Z Board provided a positive recommendation and that the parking is sufficient because of the spread of the drop-offs and pickups. Commissioner Seidel stated he spoke with the applicant.

Motion made by Commissioner Sprinkel to approve the request, seconded by Commissioner Seidel.

Attorney Becky Wilson, representing the applicant, was available for questions. She spoke about the parking being sufficient.

LaWanda Thompson, 664 W. Lyman Avenue, expressed concerns with adding another daycare because of the two present ones in the City and that there is a need for an elementary school in the CRA area. Mayor Leary explained that schools are controlled by OCPS and not the City.

Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel and Cooper voted yes. The motion carried with a 4-0 vote.

- e. Request of Amy Black:

ORDINANCE NO. 3122-18: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOP CODE", ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO MODIFY AND ADD COMPREHENSIVE PLAN POLICIES WITHIN THE TEXT OF THE FUTURE LAND USE ELEMENT REGARDING SUBDIVISIONS OF LAKEFRONT PROPERTIES AND ESTATES ON LAKE KILLARNEY, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE Second Reading

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Sprinkel to adopt the ordinance, seconded by Commissioner Seidel.

Ted Holdorf, 2109 Killarney Drive, asked where the properties are located that are going to be subdivided. Mr. Briggs explained the property is at 1800 Boitnott Lane and showed a map displaying the lot to be subdivided into three lots.

Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel and Cooper voted yes. The motion carried with a 4-0 vote.

City Commission Reports:

Commissioner Seidel – Spoke about seeing a lot of value having a charter elementary school in downtown Winter Park.

Commissioner Seidel spoke about transportation budget issues and the problems on Palmer Avenue with vehicles stacking and not easily being able to enter Palmer from the other streets. He suggested an option for resolving this with the implementation of equipment having stoplights that stop vehicles during peak hours that would solve the main problem on Palmer.

Commissioner Sprinkel – Spoke about the opening of another new school at Audubon Park that is helping Winter Park students.

Commissioner Sprinkel addressed her Coffee Talk last week and concerns that a number of people who came were very angry that caused major distress with her granddaughter who she brought with her. Mayor Leary spoke about the Commission always handling things respectfully and civilly even though they may not always agree. He spoke about the importance that citizens act in a manner that is acceptable and respectable.

Commissioner Cooper – Spoke about the need to treat everyone with more respect. She stated that everyone on the Commission does their best and has the best interest of the community and when citizens have a concern, she wants to hear from them. She wanted to know what people were upset about at Commissioner Sprinkel's Coffee Talk and wanted to discuss those issues as a Commission. Commissioner Seidel spoke about the importance of setting a good example.


Mayor Leary – Spoke about the clutter around the library with political signs as many had several of the same signs piled upon each other. He was not sure they should be as lax around election time. There was a consensus to remove the signs and any signs that are placed on City property.

The meeting adjourned at 5:41 p.m.



Mayor Steve Leary

ATTEST:



City Clerk Cynthia S. Bonham, MMC